

U.S. Department of Labor

Office of the Solicitor
201 Varick Street, Room 983

November 8, 2023

Via ECF

Hon. Robert W. Lehrburger, U.S. Magistrate Judge
 U.S. District Court for the Southern District of New York
 500 Pearl Street, Room 1960
 New York, NY 10007

USDC SDNY
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Re: *Acting Secretary of Labor v. MBB Services Inc. d/b/a MBB 1881 Tremont et al.*,
 No. 22-cv-02206-JHR-RWL

Dear Judge Lehrburger:

We write jointly with Defendants in the above-captioned action to respectfully request that the Court adjourn the settlement conference currently scheduled for November 21, 2023, until early February 2024, on a date convenient to the Court.

The parties request the adjournment to make the conference more fruitful. As the parties discussed with the Court on the October 5 conference call, the Acting Secretary has requested that Defendants provide certain financial documents, to the extent that Defendants may wish to include a payment plan longer than 90 days in any potential settlement. Defendants are still in the process of compiling these documents and need additional time, including because of a delay in their accountant providing the necessary records. Upon production of the records, the Acting Secretary's forensic accountant will need approximately three weeks to review the documentation. Although Defendants' accountant has not committed to a date certain for providing the records, the parties propose early February as their best estimate of the timeframe for completing the exchange and review of the financial information, without unduly delaying the settlement conference.

Respectfully submitted,

Jeffrey S. Rogoff, Regional Solicitor

By: s/ Jason Glick
 Jason Glick, Senior Trial Attorney

s/ Jasmine Wade
 Jasmine Wade, Trial Attorney

cc: Defendants' counsel (*via ECF*)

Request granted. The settlement conference will be adjourned to February 2024. My Deputy Clerk will coordinate a specific date.

SO ORDERED:

11/8/2023


 HON. ROBERT W. LEHRBURGER
 UNITED STATES MAGISTRATE JUDGE